



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wallace T Y TANG , et al

Assignee: APPLIED MATERIALS, INC.

Title: IN-SITU REAL TIME MONITORING TECHNIQUE AND APPARATUS FOR END  
POINT DETECTION OF THIN FILMS DURING CHEMICAL MECHANICAL  
POLISHING PLANARIZATION

Serial No. 08/401,229

Filed: 03/09/1995

Patent No.: 5,949,927

Issue Date: 09/07/1999

Attorney Docket No.: 005353/D1/CMP Examiner: Unknown

**RECEIVED**

**NOV 13 2003**

**OFFICE OF PETITIONS**

Santa Clara, California

ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DECLARATION OF BARBARA HOLT UNDER 37 CFR §1.68

I, BARBARA J. HOLT, declare as follows:,

I am employed as a Patent Administrator for the Patent Department of Applied Materials, Inc., the assignee of the entire right to the subject patent. I have been a Patent Administrator at Applied Materials, Inc. for 10 years. In my capacity as a Patent Administrator, one of my duties is handling of the payment of U.S. maintenance fees.

On January 27, 2003, I signed the certificate of mailing printed directly on the correspondence entitled 1<sup>st</sup> Maintenance Fee for Patent No. 5,949,927 which indicated that the correspondence and accompanying postcard were being deposited with the United States Postal Service on January 27, 2003. Following the standard practice of Applied Materials for handling of Maintenance Fee payments, I made photocopies for the file and sealed the originals in an envelope having sufficient postage for first class mail and addressed to:

BOX M

Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231

I deposited the envelope with the United States Postal Service in the ordinary course of business of the Applied Materials Patent Department on the date indicated, January 27, 2003.

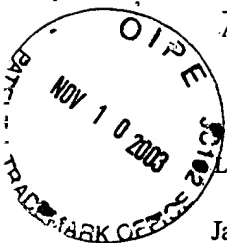
On October 23, 2003, I received a Notice of Patent Expiration which had been mailed from the USPTO on October 8, 2003, indicating that the patent had expired for failure to pay the maintenance fee. It was upon receipt of this notification that I first became aware that the patent was expired.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: December 10, 2003

Barbara J. Holt  
Barbara J. Holt  
Patent Administrator  
Applied Materials, Inc.



APPLIED MATERIALS

LEGAL DEPARTMENT

January 22, 2003



37

Box M  
ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D. C. 20231

Re: 1<sup>st</sup> Maintenance Fee for Patent No. 5,949,927  
Title: IN-SITU REAL TIME MONITORING TECHNIQUE AND APPARATUS FOR END  
Issued: 09/07/1999  
Inventor(s): Wallace T Y TANG et al  
Assignee: Applied Materials, Inc. and Large Entity  
Serial No: 08/401,229; Filing Date: 03/09/1995 Group Art Unit: 1763  
Attorney Docket No: 005353 USA D 01/ CMP/ CMP

Sir:

Please charge the 1<sup>st</sup> maintenance fee in the above-named U.S. Patent, in the amount of \$890, plus any other required amounts, to our Deposit Account. 50-1074. Applied Materials is a large entity.

Future correspondence regarding this patent should be directed to:

Raymond Kam-on KWONG  
Patent Counsel  
APPLIED MATERIALS, INC.  
P.O. Box 450-A  
Santa Clara, CA 95052

NTX  
3/7/03

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MAR 14 2003

Please acknowledge receipt of these instructions by date stamping and returning the enclosed postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-1074.

Respectfully submitted

Robert W. Mulcahy  
Reg. No. 25,436

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Washington, D.C. 20231.

Date of Deposit:

Signature:

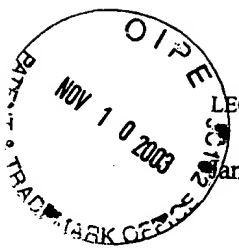
Barbara Holt

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Postcard 2-403

APPLIED MATERIALS



LEGAL DEPARTMENT

January 22, 2003



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Washington, D. C. 20231

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Commissioner of Patents and Trademarks,  
Washington, D.C. 20231.

Date of Deposit: January 27, 2003

Signature: Barbara Holt

Barbara Holt

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JAN 28 2003

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AND APPARATUS FOR END  
Inventor Wallace T Y TANG et al  
Serial No 08/401,229 Filed: 03/09/1995  
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ENCLOSED:

Instructions for Payment of Maintenance Fee  
Return Receipt Post Card

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Mailed: 1/27/03

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DATE PRINTED

APPLIED MATERIALS INC.  
RAYMOND KAM-ON KWONG, PATENT COUNSEL  
P. O. BOX 450-A  
SANTA CLARA CA 95052

REC'D OCT 23 2003 10/08/03

*CMW*

**NOTICE OF PATENT EXPIRATION**

According to the records of the Patent and Trademark Office, payment of the maintenance fee for the patents listed below has not been timely received prior to the end of the six-month grace period in accordance with 37 CFR 1.362(e). THE PATENT(S) LISTED BELOW HAS THEREFORE EXPIRED AS OF THE END OF THE GRACE PERIOD. 35 U.S.C. 41(b).

Expired patents may be reinstated in accordance with 37 CFR 1.378 if upon petition, the maintenance fee and the surcharge set forth in 37 CFR 1.20(m) are paid, AND THE DELAY IN PAYMENT OF THE MAINTENANCE FEE IS SHOWN TO THE SATISFACTION OF THE DIRECTOR TO HAVE BEEN UNAVOIDABLE. 35 U.S.C. 41(c)(1).

IF THE COMMISSIONER ACCEPTS PAYMENT OF THE MAINTENANCE FEE UPON PETITION THE PATENT SHALL BE CONSIDERED AS NOT HAVING EXPIRED, BUT WOULD BE SUBJECT TO THE INTERVENING RIGHTS AND CONDITIONS SET FORTH IN 35 U.S.C. 41(c)(2).

NOTICE OF THE EXPIRATION WILL BE PUBLISHED IN THE OFFICIAL GAZETTE.

PATENT NUMBER	U.S. APPLICATION NUMBER	PATENT DATE	APPLICATION FILING DATE	EXPIRATION DATE	ATTORNEY DOCKET NUMBER
5949927	08401229	09/07/99	03/09/95	09/08/03	5353/01

*paid  
done twice -  
should have  
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